

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ERIN SKALDE and)	
JARROD SKALDE,)	
)	
Plaintiffs,)	Case No. 3:20-cv-02039-JPW
)	
v.)	Hon. Jennifer P. Wilson
)	
LEMIEUX GROUP, L.P.,)	
PITTSBURGH PENGUINS L.P.,)	
AND CLARK DONATELLI,)	
)	
Defendants.)	

DEFENDANTS’ PARTIAL MOTION TO DISMISS

Defendants Pittsburgh Penguins L.P. and Lemieux Group, L.P. (collectively, “the Penguins”), by and through their undersigned counsel, respectfully move this Honorable Court, pursuant to Rule 12(b)(6) of the Federal Rule of Civil Procedure, for an Order dismissing Plaintiff’s Complaint (Doc. 1).

Plaintiffs fail to state a plausible claim against the Penguins for negligent retention (Count III; Erin Skalde v. the Penguins), violations of the Pennsylvania Whistleblower Law (“Whistleblower Law”) (Count IV; Jarrod Skalde v. the Penguins), and loss of consortium (Count V; Jarrod Skalde v. the Penguins).

The reason for this Motion to Dismiss are set out more fully in the contemporaneously filed Memorandum of Law in Support of Defendants’ Partial Motion to Dismiss.

Respectfully submitted,

/s/ Lori Armstrong Halber

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Dated: November 23, 2020

CERTIFICATE OF SERVICE

I, Lori Armstrong Halber, hereby certify that on this 23rd day of November, 2020, a true and correct copy of this Motion to Dismiss was filed electronically and served upon the following counsel of record via the Court's ECF system:

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